

Amend Section 84001 to read:

84001        DEFINITIONS

84001

In addition to Section 80001, the following shall apply:

~~(a-)~~ (Continued)

~~(b-)~~ (Continued)

~~(c-)~~ (Continued)

~~(d-)~~ (Continued)

~~(e-)~~ (Continued)

(3) "Emergency Intervention Plan" means a written plan which addresses how emergency intervention techniques will be implemented by the licensee in compliance with the requirements specified in Section ~~84802~~84322.

(4) "Emergency Intervention Staff Training Plan" means a written plan which specifies the training provided to group home personnel regarding the use of emergency interventions, as specified in Section ~~84802~~84322(g). The emergency intervention staff training plan is a component of the Emergency Intervention Plan.

~~(f-)~~ (Continued)

~~(g-)~~ (Continued)

~~(h-)~~ (Continued)

~~(i-)~~ (Continued)

~~(j-)~~ (Continued)

~~(k-)~~ (Continued)

~~(l-)~~ (Continued)

~~(m-)~~ (Continued)

(2) "Manual Restraint Plan" means a written plan which addresses how manual restraints will or will not be implemented by the licensee in compliance with the requirements specified in Sections ~~84802~~84322(e) and (f). The manual restraint plan is a component of the emergency intervention plan. (Continued)

~~(n-)~~ (Continued)

(o-) (Continued)

(p-) (Continued)

(q-) (Continued)

(r-) (Continued)

(s-) (Continued)

(t-) (Continued)

(u-) (Continued)

(v-) (Continued)

(w-) (Continued)

(x-) (Continued)

(y-) (Continued)

(z-) (Continued)

Authority Cited: Section 17730, Welfare and Institutions Code and Sections 1522.41(j), 1530 and 1530.9, Health and Safety Code.

Reference: Sections 1501, 1502, 1503, 1507, 1522.4, 1522.41, and 1531, Health and Safety Code; and Sections 11406(c), 17710(a), (d), (g), and (h), 17731 and 17736(a) and (b), Welfare and Institutions Code; and 45 CFR Section 1351.1(k).

Amend Section 84022 to read:

84022      PLAN OF OPERATION

84022

(a) through (b)(3)    (Continued)

(4)    A written Emergency Intervention Plan as specified in Section ~~84802~~84322.

Authority Cited:    Section 1530, Health and Safety Code.

Reference:          Sections 1501 and 1531, Health and Safety Code.

Amend Section 84061 to read:

84061      REPORTING REQUIREMENTS (Continued)

84061

(h) Incident Reports must include the following: (Continued)

- (6) When the incident report is used to report the use of manual restraints, the report must include the following: (Continued)
  - (I) If it is determined by the post incident review, as required in Section ~~84806~~84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective action will be taken or not taken and why. (Continued)
- (7) When the incident report is used to report a runaway situation, the report must include the following: (Continued)
  - (F) If a manual restraint was used, and if it is determined by the post incident review, as required in Section ~~84806~~84368.3, that facility personnel did not attempt to prevent the manual restraint, a description of what action should have been taken by facility personnel to prevent the manual restraint incident. What corrective action will be taken or not taken and why. (Continued)

Authority Cited: Sections 1522.41(j) and 1530, Health and Safety Code.

Reference: Sections 1520.1, 1522.41(b)(4), 1531, 1558.1, and 1562, Health and Safety Code; and Section 11406(c), Welfare and Institutions Code.

Amend Section 84063 to read:

84063      ACCOUNTABILITY

84063

- (a) The board of directors shall be active in ensuring accountability and perform at a minimum, the following responsibilities: (Continued)
  - (4) Review and approve the facility's emergency intervention plan as specified in Section ~~84802~~84322(k); (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1520.1(f) and 1520.11(c), Health and Safety Code.

Amend Section 84065 to read:

84065 PERSONNEL REQUIREMENTS (Continued)

84065

- (i) Notwithstanding Sections 80065(f)(1) through (6), new child care staff hired on or after July 1, 1999, shall complete a minimum of 24 hours of initial training comprised of the 8 and 16 hour training as specified in (1) and (2) below: (Continued)
  - (6) The 24 hour initial training is in addition to first aid and CPR training, and other training as required in Sections 84065.1 and ~~84803~~84365. (Continued)
- (j) Annual Training (Continued)
  - (7) Annual training is in addition to first aid and CPR training, and other training as required in Sections 84065.1 and ~~84803~~84365. (Continued)
- (k) The licensee shall develop, maintain and implement a written plan for the training of facility managers. (Continued)
  - (8) Facility manager training is in addition to first aid and CPR training, and other training as required in Sections 84065.1 and ~~84803~~84365. (Continued)

Authority Cited: Sections 1522.41(j) and 1530, Health and Safety Code.

Reference: Sections 1501, 1522.4, 1522.41, 1531 and 1562, Health and Safety Code.

Renumber Article 8 to Article 1; and renumber Section 84800 to 84300 and amend to read:

### SUBCHAPTER 3. EMERGENCY INTERVENTION IN GROUP HOMES

#### Article ~~8~~1. ~~USE OF EMERGENCY INTERVENTION IN GROUP HOMES~~ GENERAL REQUIREMENTS

#### ~~84800~~84300 GENERAL PROVISIONS (Continued)

~~84800~~84300

- (d) An emergency intervention plan as specified in Section ~~84802~~84322, is required for all group homes, and must be submitted to, and approved by the Department prior to use by the group home.
  - (1) The Department shall review and approve the emergency intervention plan as specified in Sections ~~84802(1)~~84322(1) and ~~84802(1)(1)~~84322(1)(1).

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, and 1531, Health and Safety Code.

Renumber Section 84801 to 84300.1 and amend to read:

~~84801~~84300.1 EMERGENCY INTERVENTION PROHIBITION

~~84801~~84300.1

- (a) The following emergency interventions techniques must not be used on a child at any time.  
(Continued)
  - (11) Manual restraints for more than 15 consecutive minutes in a 24-hour period, unless as specified in Section ~~84802~~84322. (Continued)
- (b) In addition to techniques specified in Section ~~84801~~84300.1, any emergency intervention technique not approved for use as part of the licensee's emergency intervention plan must not be used at any time.
- (c) Manual restraints must never be used for the following purposes: (Continued)
  - (7) To prevent a child from leaving the facility, except as specified in Section ~~84808~~84322.2. (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1502, and 1531, Health and Safety Code.



Adopt Article 3; renumber Section 84802 to 84322 and amend to read:

Article 3. APPLICATION PROCEDURES

8480284322 EMERGENCY INTERVENTION PLAN (Continued)

8480284322

- (c) In addition to Sections 80022 and 84022, the written emergency intervention plan must be submitted to, and approved by the Department prior to implementation. The plan must include the requirements specified in Sections 8480284322(d) through (h):
- (d) General Provisions: (Continued)
  - (2) A description of the continuum of emergency interventions, commencing with early interventions, specifying the emergency intervention techniques to be utilized. For each type of emergency intervention, the plan must include the following: (Continued)
    - (B) Maximum time limits for each emergency intervention technique, not to exceed maximum time limits as specified in Section 8480284322(f). (Continued)
- (f) The manual restraint plan is to be included as a component of the emergency intervention plan. If the facility will use, or it is reasonably foreseeable that the facility will use, manual restraints, the plan must include the following:
  - (1) Procedures for ensuring a child's safety when a manual restraint is being used including, but not limited to, the titles of facility personnel responsible for checking the child's breathing and circulation.
    - (A) Procedures for determining when a medical examination is needed during a manual restraint, as specified in Section 84807 84369. (Continued)
- (g) The Emergency Intervention Staff Training Plan is to be included as a component of the emergency intervention plan. The plan must include the following: (Continued)
  - (4) Training curriculum as specified in Section 84803(b)84365(b). (Continued)
- (j) Only trained facility personnel as specified in Section 8480384365 will be allowed to use emergency interventions on children. (Continued)
- (m) If the Department determines that the licensee has not complied with the emergency intervention plan requirements as specified in Sections 8480284322(a) through (k), the licensee must discontinue the use of emergency interventions immediately upon written notice of deficiency by the Department.

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501 and 1531, Health and Safety Code.

Renumber Section 84802.1 to 84322.1 and amend to read:

~~84802.1~~84322.1 PROTECTIVE SEPARATION ROOM

~~84802.1~~84322.1

- (a) In addition to Section ~~84802~~84322, any licensee with an approved emergency intervention plan which includes the use of a protective separation room, must comply with the following requirements: (Continued)
  - (6) In addition to Section ~~84802(i)~~84322(i), facility social work personnel and the child's authorized representative must indicate, in writing, in the child's needs and services plan if the child may be placed in the protective separation room. (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501 and 1531, Health and Safety Code.

Renumber Section 84808 to 84322.2 and amend to read:

~~84808~~84322.2 RUNAWAY PLAN (Continued)

~~84808~~84322.2

- (e) The runaway plan described in Section ~~84808~~84322.2(a), must be provided to, and discussed with each child and their authorized representative at the time of admission.  
(Continued)
- (f) Manual restraints must only be used if the facility has an approved manual restraint plan, in accordance with Section ~~84802~~84322. (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501 and 1531, Health and Safety Code.

Adopt Article 6, renumber Section 84805 to 84361 and amend to read:

Article 6. Continuing Requirements

~~84805~~84361 DOCUMENTATION AND REPORTING REQUIREMENTS ~~84805~~84361  
(Continued)

- (d) The information required in Section ~~84805~~84361(a), must be documented immediately following the use of manual restraints or no later than the end of the working shift of the staff member(s) who participated in the manual restraint. (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501 and 1531, Health and Safety Code.

Adopt Article 6, renumber Section 84803 to 84365 and amend to read:

Article 6. CONTINUING REQUIREMENTS

~~84803~~84365 EMERGENCY INTERVENTION STAFF TRAINING

~~84803~~84365

- (a) No facility personnel must use emergency intervention techniques on a child unless the training instructor has certified in writing that the facility personnel have successfully completed the emergency intervention training required in Section ~~84803(b)~~84365(b).  
(Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1531, and 1562, Health and Safety Code.

Renumber Section 84804 to 84365.5 and amend to read:

~~84804~~84365.5 STAFFING REQUIREMENTS (Continued)

~~84804~~84365.5

- (d) Additional facility personnel must be available to supervise the other children in placement when the trained facility personnel are required to use manual restraints as specified in Section ~~84802(d)(7)~~84322(d)(7).

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1531, and 1562, Health and Safety Code.

Renumber Section 84806 to 84368.3 and amend to read:

~~84806~~84368.3 REVIEW OF MANUAL RESTRAINT USE (Continued) ~~84806~~84368.3

- (b) The administrator or administrator's designee must determine whether the emergency intervention action taken by the staff member(s) was consistent with the emergency intervention plan, and document the findings in the child's record and facility monthly log as specified in Section ~~84805~~84361. The manual restraint review must evaluate the following: (Continued)

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501 and 1531, Health and Safety Code.



Renumber Section 84807 to 84369 and amend to read:

~~84807~~84369 MEDICAL EXAMINATION (Continued)

~~84807~~84369

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1507 and 1531, Health and Safety Code.

Adopt Subchapter 4, Article 1, and Section 84400 to read:

SUBCHAPTER 4: TRANSITIONAL SHELTER CARE FACILITIES

Article 1. GENERAL REQUIREMENTS

84400      GENERAL      84400

- (a) In addition to the provisions in Chapter 1, General Licensing Requirements, and in Chapter 5, Group Homes, including Subchapters 2 and 3, the provisions in this subchapter shall apply to group homes that operate as Transitional Shelter Care Facilities, as defined in Section 84401(t)(2). Where Subchapter 4, Transitional Shelter Care Facilities regulations differ from any other regulations in Title 22, the Subchapter 4 regulations shall govern Transitional Shelter Care Facilities, unless otherwise specified.

Authority Cited: Sections 1501, 1502(a)(11), and 1530, Health and Safety Code.

Reference:      Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Adopt Section 84401 to read:

84401      DEFINITIONS

84401

In addition to Sections 80001 and 84001, the following shall apply:

(a) through (l) (Reserved)

(m) (1) “Maximum Occupancy” means the total number of persons, determined by the fire authority having jurisdiction, who may safely occupy a facility for a specified purpose.

(n) through (s) (Reserved)

(t) (1) “Transitional Care Children” or “Children in Transition” means children as defined in Section 1502.3(c) of the Health and Safety Code who have been placed in a transitional shelter care facility. These children include but are not limited to children who have been placed in the facility from another community care facility and are awaiting placement appropriate to their needs. All children in the facility are to receive the assessments and services as detailed this subchapter to facilitate successful subsequent placement.

(2) “Transitional Shelter Care Facility” means a licensed county group care facility whose sole purpose is to provide care in a short term residential program for children who have been removed from their homes as a result of abuse or neglect, or both; for children who have been adjudged wards of the court; and, for children who are seriously emotionally disturbed children.

(A) For purposes of this definition, “county group care facility” is a group home that provides 24-hour nonmedical care for children up to the age of 18, except as provided in Welfare and Institutions Code Section 11403, who require personal services, supervision, protection, or assistance essential for sustaining activities of daily living, and that is owned by the county and is operated either by the county or a nonprofit agency contracted with the county.

## HANDBOOK BEGINS HERE

1. Welfare and Institutions Code Section 11403 provides:

“A child who is in foster care and receiving aid pursuant to this chapter and who is attending high school or the equivalent level of vocational or technical training on a full-time basis prior to his or her 18th birthday, may continue to receive aid following his or her 18th birthday so long as the child continues to reside in foster care placement, remains otherwise eligible for AFDC-FC payments, and continues to attend high school or the equivalent level of vocational or technical training on a full-time basis and the child may reasonably be expected to complete the educational or training program before his or her 19th birthday. Aid shall be provided such an individual pursuant to this section provided both the individual and the agency responsible for the foster care placement have signed a mutual agreement, if the individual is capable of making an informed agreement, which documents the continued need for out-of-home placement.”

2. Health and Safety Code Section 1502.3 provides:

“For purposes of this chapter, a ‘community care facility,’ pursuant to Section 1502, includes a transitional shelter care facility. A ‘transitional shelter care facility’ means a short-term residential care program that meets all of the following requirements:

“(a) It is owned by the county, and operated by the county or by a private nonprofit organization under contract to the county.

“(b) It is a group care facility that provides for 24-hour nonmedical care of persons, under 18 years of age, who are in need of personal services, supervision, or assistance that is essential for sustaining the activities of daily living, or for the protection of the individual on a short-term basis. As used in this section, ‘short-term’ means up to 90 days from the date of admission.

“(c) It is for the sole purpose of providing care for children who have been removed from their homes as a result of abuse or neglect, or both; for children who have been adjudged wards of the court; and, for children who are seriously emotionally disturbed children. For purposes of this subdivision, ‘abuse or neglect’ means the same as defined in Section 300 of the Welfare and Institutions Code. For purposes of this subdivision, ‘wards of the court’ means the same as defined in Section 602 of the Welfare and Institutions Code. For purposes of this subdivision, ‘seriously emotionally disturbed children’ means the same as defined in subdivision (a) of Section 5600.3 of the Welfare and Institutions Code.

“(d) It primarily serves children who have previously been placed in a community care facility and are awaiting placement into a different community

care facility that is appropriate to their needs. Children residing in transitional shelter care facilities may include children who are very difficult to place in appropriate community care facilities because of factors which may be present in combination, including: threatening, aggressive, suicide, runaway or destructive behaviors and behaviors as defined in Section 5600.3 of the Welfare and Institutions Code.

“(e) Based upon an agreement with the county, the licensee shall agree to accept, for placement into its transitional shelter care program, all children referred by the county.

“(f) The licensee shall not discharge any child without the permission of the county, except when a child:

“(1) Commits an unlawful act and the child must be detained in a juvenile institution.

“(2) Requires either of the following:

“(A) Physical health care in an acute care hospital.

“(B) Mental health services in an acute psychiatric hospital.

“(g) The licensee shall provide a program that is designed to be flexible enough to care for a highly variable population size and shall allow for the special needs of sibling groups.”

HANDBOOK ENDS HERE

(u) through (z) (Reserved)

Authority Cited: Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Reference: Sections 1501, 1502, 13108, 13143, 13143.6, and 13211, Health and Safety Code; and Sections 11403 and 16501, Welfare and Institutions Code.

Adopt Article 2 and Section 84410 to read:

Article 2. LICENSE

84410      LIMITATIONS ON CAPACITY AND AMBULATORY STATUS      84410

In addition to Sections 80010 [notwithstanding Section 80010(a)], 80028 and 80078, the following shall apply to Transitional Shelter Care Facilities:

- (a) If the facility admits clients in excess of the maximum occupancy established by the fire authority having jurisdiction, the licensee is operating in violation of its fire clearance. Operation in excess of maximum occupancy constitutes imminent health and safety risks and the licensee shall immediately reduce the census to the maximum occupancy.
- (b) If the facility exceeds the capacity as set forth on the license, the licensee is operating in violation of its license.
  - (1) If over capacity, in addition to the requirements of Section 84461(c), the facility must do the following:
    - (A) Utilize satisfactory fire and life safety measures that are currently approved by the fire authority having jurisdiction;
    - (B) Provide a sufficient number of staff to meet the care and supervision needs of all children in care;
    - (C) Provide sufficient living space and accommodations to the needs of all children in care; and
    - (D) Notwithstanding Section 80052, submit a written Plan of Correction consistent with the Contingency Plan as described in Section 84422(b) within 24 hours of exceeding licensed capacity, that includes the number by which the facility is over capacity, describes the facility's compliance with Section 84410(b)(1)(A) through (C), and explains how the facility will correct the overcapacity.
      - 1. When the facility is operating over capacity and then admits another child, the facility shall transmit an addendum to its Plan of Correction in writing to the Department within 24 hours.
- (c) When the Department determines that children are in imminent danger because the facility is over capacity and has not complied with Sections 84410(b)(1)(A) through (D), the Department shall have the authority to order the licensee to immediately relocate children in excess of the licensed capacity.

- (d) When children must be relocated pursuant to Section 84410(c), the licensee shall not obstruct the relocation process and shall cooperate with the Department in the relocation process. Such cooperation shall include, but not be limited to, the following:
- (1) Identifying and preparing for removal of the medications, Medi-Cal or other medical insurance documents, clothing, safeguarded cash resources, valuables and other belongings of the child;
  - (2) Contacting the authorized representative of the child to assist in transporting the child, if necessary;
  - (3) Contacting other suitable facilities for placement, if necessary; and
  - (4) Providing access to the child's files when required by the Department.

Authority Cited: Sections 1502(a)(11), 1502.3(g), and 1530 Health and Safety Code.

Reference: Sections 1501, 1523, 1524, 1528, and 1531, Health and Safety Code and Sections 10554 and 11465, Welfare and Institutions Code.

Adopt Article 3 and Section 84422 to read:

Article 3. APPLICATION PROCEDURES

84422 PLAN OF OPERATION

84422

- (a) In addition to Sections 80022 and 84022, and, when applicable, Sections 84222, 84261 and 84322, the Plan of Operation shall contain the following:
- (1) A statement that one of the primary purposes of the facility is to provide a program of Transitional Care Services to children;
  - (2) A description of the Transitional Care Services to be provided;
  - (3) Protocols for the delivery of Transitional Care Services within 90 days of admission of each child;
  - (4) Protocols for the provision of individualized assessments of each child that focus on why each child was moved from his/her prior living arrangement(s) and the provision of services the child will need for transition to his/her next placement; and
  - (5) Protocols to ensure the safety of children in care.
- (b) The Plan of Operation must contain a Contingency Plan that describes how the facility will meet the needs of all children in care in the event that the facility exceeds its licensed capacity. The Contingency Plan shall include, but not be limited to, the following:
- (1) A process by which the facility will provide sufficient staff as required by Section 80065(a);
  - (2) The fire and life safety measures that will be used;
    - (A) This shall include a sketch, outlining the buildings, rooms, and beds where the facility proposes all children will sleep if the facility exceeds its licensed capacity.
  - (3) A description of the means to adapt the physical features of the facility to accommodate and provide sufficient living space for all children in care;
  - (4) The existence of any factor(s) that would preclude provision of the care required for all children in care;
  - (5) A description of alternative placement procedures and resources for locating available placement locations; and



- (6) Designation of the staff responsible for writing and submitting to licensing a Plan of Correction as required by Section 84410.
- (c) The licensee must obtain written approval from the Department before making any change to the facility's Plan of Operation.

Authority Cited: Section 1502(a)(11), Health and Safety Code.

Reference: Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Adopt Section 84461 to read:

84461      REPORTING REQUIREMENTS

84461

- (a) In addition to the reporting requirements of Sections 80061, 80062, 80065, 80075, 80092.1, 84065, 84261, 84265 and 84361, the licensee who operates a Transitional Shelter Care Facility shall:
- (1) Upon the occurrence of any of the events specified in Sections 84461(a)(1)(A) through (E), the licensee shall notify the Department by the end of the Department's next business day. In addition, a written report shall be submitted to the Department within seven (7) days.
    - (A) A child violates the personal rights of another child at the facility.
    - (B) Any other person violates the personal rights of a child.
    - (C) A child is assaulted by another child or another person at the facility.
    - (D) A child is detained in a juvenile institution.
    - (E) A child requires physical health care in an acute care hospital or mental health services in an acute psychiatric hospital or community treatment facility.
  - (2) Upon the occurrence of any of the events specified in in Sections 84461(a)(1)(A) through (E), notification shall be made to the authorized representative of each child mentioned in in Sections 84461(a)(1)(A) through (E) by the end of the Department's next business day.
- (b) If the facility admits clients in excess of the capacity set forth on the license, the licensee shall notify the Department in writing within 24 hours, or by the end of the Department's next business day, whichever is sooner.
- (c) If the facility admits clients in excess of the maximum occupancy set by the fire authority having jurisdiction, the licensee shall notify in writing, either within four (4) hours during the Department's business hours or, if after hours, within the first four (4) hours of the Department's next business day;
- (1) The fire authority having jurisdiction; and
  - (2) The Department.
    - (A) The notice to the Department shall include a copy of the notice sent to the fire authority having jurisdiction.

Authority Cited: Section 1502(a)(11), Health and Safety Code.

Reference:      Section 1502.3, Health and Safety Code.

Adopt Section 84465 to read:

84465      PERSONNEL REQUIREMENTS

84465

- (a) In addition to all other training required in Sections 80022, 80065, 80075, 80077.3, 84065, 84065.1, 84065.2, 84065.3, 84065.5, 84065.6, 84065.7, 84222 and, when applicable, Sections 84265 and 84365, all administrators, facility managers, social work staff and direct care staff must receive four (4) hours of training on the specialized needs of children in transition on an annual basis.
- (b) All administrators, facility managers, social work staff and direct care staff hired after the effective date of these regulations must receive four (4) hours of training on the specialized needs of children in transition before being responsible for supervising children, being left unsupervised with children or being counted in the staff-to-child ratio.

Authority Cited: Section 1502(a)(11), Health and Safety Code.

Reference:      Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Adopt Section 84468.1 to read:

84468.1 INTAKE PROCEDURES

84468.1

- (a) In addition to all information required to be obtained and reviewed in Sections 80068, 84068.1 and when applicable, Sections 84268.1 and 84268.4, the facility shall obtain from the child's authorized representative the list of the child's prior community care facility placements and/or residences and the reasons why the child was removed from each of these living arrangements.
- (b) The facility shall also assess whether the child may represent a threat to self or to any other child in care, or whether the child may be at risk of harm from another child in care.

Authority Cited: Section 1502(a)(11), Health and Safety Code.

Reference: Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Adopt Section 84468.2 to read:

84468.2      NEEDS AND SERVICES PLAN

84468.2

- (a) In addition to Sections 80068.2, 80068.3, 84068.2, 84068.3 and when applicable, Sections 84268.2 and 84268.3, the child's needs and services plan shall also include an assessment of the child to determine the most appropriate subsequent placement for the child utilizing the prior placement information obtained in Section 84468.1(a). Such assessments shall be documented within thirty (30) days of admission.

Authority Cited: Section 1502(a)(11), Health and Safety Code.

Reference: Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Adopt Section 84468.4 to read:

84468.4      REMOVAL AND/OR DISCHARGE PROCEDURES

84468.4

In addition to the removal and discharge procedures required in Section 84068.4 and when applicable, Section 84268.4, the Transitional Shelter Care Facility must do the following:

- (a) The licensee, if other than the county, shall not discharge a child without the permission of the county, except when a child:
  - (1) Commits an unlawful act and must be detained in a juvenile institution;
  - (2) Requires physical health care in an acute care hospital; or
  - (3) Requires mental health services in an acute psychiatric hospital or community treatment facility.
- (b) The facility shall complete a discharge report for children who reside in the facility for thirty (30) consecutive days or more. This report shall include the following information:
  - (1) The child's prior community care facility placements and/or residences and the reasons why the child was removed from each of these living arrangements.
  - (2) An assessment of factors determining whether the child may represent a threat to self or to another person, or whether the child may be at risk of harm from others.
  - (3) A recommendation for the most appropriate subsequent placement or residence for the child.
  - (4) A recommendation for the ongoing services that the child will need.

Authority Cited: Sections 1502(a)(11) and 1502.3(f), Health and Safety Code.

Reference: Sections 1502(a)(11) and 1502.3, Health and Safety Code.

Adopt Section 84478 to read:

84478      RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION      84478

In addition to Sections 80078 and 84078 and when applicable, Section 84278, the following shall apply to Transitional Shelter Care Facilities:

- (a) The facility shall not admit any child when this presents an imminent health and safety risk to any child.
- (b) When a child residing in the facility poses a threat to him/herself or others, the licensee must employ methods of protection that may include separation, closer monitoring, or increased and/or specialized staff.
  - (1) Staff who provide the additional protective measures shall not be included in the usual facility staffing and ratio requirements.

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1511, 1528, 1531, and 1556, Health and Safety Code.